

EXHIBIT O

DECLARATION OF JEFFREY BEALER PURSUANT TO 28 U.S.C. 1746

I, Jeffrey Bealer, declare pursuant to 28 U.S.C. 1746 as follows:

1. I, Jeffrey Bealer, am currently employed by Empire Auto Parts, Inc. ("Empire" or the "Company") as a delivery driver/supervisor. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. I have been informed that Jason Reed contends in a lawsuit that he filed that Empire's employees were not paid properly. I also have been informed that Jason Reed wants to proceed as a representative of other Empire employees to attempt to recover damages for alleged wage violations that he contends affect hourly employees in some fashion.

3. I spoke with Empire's attorney voluntarily and understand that Empire will use the information I provided to attempt to demonstrate that Jason Reed's experiences were not representative and, further, that Empire has not violated any laws regarding paying its employees.

4. I am employed by Empire in the Cinnaminson office as a delivery driver/supervisor.

5. I have always instructed the delivery drivers to take their thirty-minute meal break.

6. I have always been instructed to take my thirty-minute meal break.

7. I have never heard of drivers being instructed to not take their thirty-minute meal break, or being disciplined for taking a thirty-minute meal break.

8. I generally take my thirty-minute meal break, but occasionally, I will skip

my thirty-minute meal break, voluntarily, so that I can finish my route faster. In those instances, I have not reported this to my supervisor.

9. I have never heard of delivery drivers, other than Jason Reed, complaining that they were not allowed or were not supposed to take a thirty-minute meal break.


10. I have never heard of delivery drivers, other than Jason Reed, complaining about any issue regarding compensation or overtime.

11. I have never had any issue with Empire compensating me and paying me overtime.

12. In the rare event that there has been a mistake with compensation, I have directed the drivers to contact Steve Moskal, and the issue was promptly corrected.

I declare under penalty of perjury subject to the laws of the United States of America that the foregoing is true and correct.

Executed on this 11 day of March 2014, at Cinnaminson, New Jersey.



Jeffrey Bealer